



JOHN ENGLER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF ENVIRONMENTAL QUALITY
CADILLAC DISTRICT OFFICE

US EPA RECORDS CENTER REGION 5



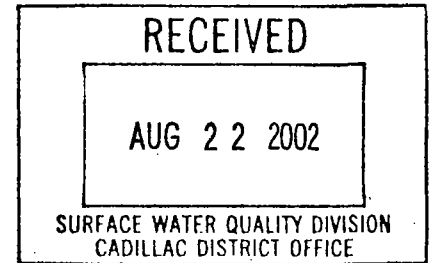
527004



RUSSELL J. HARDING
DIRECTOR

August 22, 2002

Mr. Joseph E. Quandt
Zimmerman, Kuhn, Darling, Boyd, Taylor and Quandt, PLC
412 South Union Street
Traverse City, Michigan 49685-0987



Dear Mr. Quandt:

SUBJECT: Williamsburg Receiving and Storage, Grand Traverse County

Thank you for the schematic of cherry brine pits, which you sent me with your letter of August 9, 2002 (Schematic). In reviewing the Schematic, Department of Environmental Quality (DEQ) staff note that the design represented on the Schematic is different than that described previously by Williamsburg Receiving and Storage (WRS) staff at our meeting in Lansing on February 26, 2002. At that meeting, WRS staff described the design as a single PVC liner with a thin piece of plastic below it. The Schematic, however, shows two, 40-mil PVC liners back to back.

In reviewing the design shown on the Schematic, I note the design shown, although it contains two liners, does not comply with rules under Part 31, Water Resources Protection of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, for the following reasons:

1. R 324.2005(2)(c) requires that secondary containment structures for liquids *"Allow surveillance of the tanks or containers, the timely detection of any leaks and recovery of any spillage, and proper disposal of any captured precipitation so that minimum required capacity is maintained at all times."* The design shown on the Schematic does not allow for any detection of leaks from the liner system.
2. R 324.2005(3) requires that *"All use areas and indoor storage areas shall be designed, constructed, maintained and operated to prevent the release of polluting materials through sewers, drains, or otherwise directly or indirectly into any public sewer system or to the surface or groundwaters of this state."* The design shown on the Schematic does not prevent releases from the use area surrounding the pits.

As indicated in the Consent Order recently entered on August 16, 2002 (Order), WRS may at a later date petition the DEQ to approve an alternate design under R 324.2005(5). However, such a design must provide "adequate protection" and a petition for such a design must meet the requirements of paragraph 4.1(d) of the Order.

Y900 3 1/3

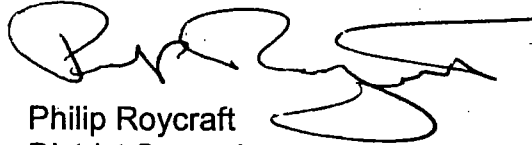
Mr. Joseph E. Quandt

2

August 22, 2002

In the meantime, please clarify why the Schematic differs from representations made previously by WRS.

Sincerely,

A handwritten signature in black ink, appearing to read 'Philip Roycraft', with a long horizontal flourish extending to the right.

Philip Roycraft
District Supervisor
Waste Management Division
231-775-3960, Extension 6200

cc: Mr. Andy Smits, Inland Seas
Mr. Chris Hubbell, WRS
Mr. Mike Stifler, DEQ
Mr. Frank Ruswick, DEQ-Lansing
Mr. Rick Ruzs, DEQ-Lansing
Ms. Janice Heuer, DEQ